

EXHIBIT B

Carnevale, Michael S.

From: Davis, William P.
Sent: Wednesday, April 8, 2020 6:20 PM
To: 'Toal, Jean'; 'Peter Protopapas'; Selert, Hali
Cc: Theile McVey; murrell@smithrobinsonlaw.com; Jon Robinson; Christy E. Mahon; Matt Abee; Phillips, Clay; wsawyer@murphygrantland.com; Wilkerson, John S.; Norton, Mariel; Lindsay Valek; Jescelyn Spitz
Subject: RE: Covil Receivership proposed settlements

Thank you, Your Honor. The question of standing is one of the issues raised for the first time in the Receiver's Reply brief. We would respectfully request that the Court consider the response to that argument in USF&G's responsive brief that I understand has been electronically filed.

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From: Toal, Jean
Sent: Wednesday, April 08, 2020 5:30 PM
To: Davis, William P. ; 'Peter Protopapas' ; Selert, Hali
Cc: Theile McVey ; murrell@smithrobinsonlaw.com; Jon Robinson ; Christy E. Mahon ; Matt Abee ; Phillips, Clay ; wsawyer@murphygrantland.com; Wilkerson, John S. ; Norton, Mariel ; Lindsay Valek ; Jescelyn Spitz
Subject: RE: Covil Receivership proposed settlements

Mr. Davis: I have no control over what you file, but I repeat that this matter does not involve the issue of your client's conduct regarding mediation, therefore I do not understand what standing you have to object to a settlement to which your client is not a party in light of the fact that you have chosen not to intervene. Plaintiff's Motions were filed, you filed an opposition, plaintiff replied. This process does not continue past that. I read whatever is filed whether the filer has the authority to file or not. Sincerely, Jean Toal

From: Davis, William P. [<mailto:WDavis@brblegal.com>]
Sent: Wednesday, April 8, 2020 5:08 PM
To: Toal, Jean <JToal@sccourts.org>; 'Peter Protopapas' <pdp@rplegalgroup.com>; Selert, Hali <hselert@sccourts.org>
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Subject: RE: Covil Receivership proposed settlements

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Dear Chief Justice Toal – We were literally about to file Non-Party USF&G's Response in Further Opposition to Motions to Approve and in Opposition to Motions to Quash and to Seal when Your Honor's email was received. In that a considerable amount of effort went into this document, with some delay due to stay-at-home orders, and the papers address issues that have not yet been briefed or responded to, we would like to go ahead and file these papers so they will be available should the Court wish to review them. We certainly mean no disrespect by doing so.

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From: Toal, Jean <JToal@sccourts.org>
Sent: Wednesday, April 08, 2020 3:46 PM
To: Davis, William P. <WDavis@brblegal.com>; 'Peter Protopapas' <pdp@rplegalgroup.com>; Selert, Hali <hselert@sccourts.org>
Cc: Theile McVey <TMcVey@kassellaw.com>; murrell@smithrobinsonlaw.com; Jon Robinson <jon@smithrobinsonlaw.com>; Christy E. Mahon <CEM@swblaw.com>; Matt Abee <matt.abee@nelsonmullins.com>; Phillips, Clay <CPhillips@salawus.com>; wsawyer@murphygrantland.com; Wilkerson, John S. <JWilkerson@turnerpadget.com>; Norton, Mariel <mnorton@brblegal.com>; Lindsay Valek <Lindsay@rplegalgroup.com>; Jescelyn Spitz <jspitz@rplegalgroup.com>
Subject: RE: Covil Receivership proposed settlements

Dear Mr. Davis: I do not understand your contention that USF&G has not had a full opportunity to respond. Mr. Protopapas, as Receiver for Defendant Covil, in aid of marshalling assets of Covil as I required in my Order of last November appointing a receiver for Defendant Covil, filed motions to approve uncontested settlement agreements with three insurers-TIG, Hartford and Sentry. You filed motions on behalf of your client USF&G/Travelers, which you described as non Parties, objecting to these uncontested settlements. Zurich/Maryland also joined in these motions. Mr. Protopapas filed his response. Neither of the objecting non party defendants has ever filed a Motion to Intervene as a party in this matter. I will not delay acting on this matter so as to repeat a new round of back and forth filings. In the Covil Corporation By Its Duly Appointed Receiver, Peter D. Protopapas v. Zurich, USF&G and many others, USDC DSC, Spartanburg Division, CA No. 7:18-3291-BHH, US District Judge Bruce Howe Hendricks, issued an Opinion and Order dated Feb. 27, 2020 in which she reviewed comprehensively the procedural complexities of the case before her involving claims and crossclaims regarding the question of coverage of policies issued by the insurance companies to Covil at various times between the 1950's and 1993. These coverage matters are within her province. She also detailed the responsibilities that I have regarding the trial of Asbestos cases in South Carolina and the supervision of the Receivership of Defendant Covil. She characterized the filings before her by your client and the other insurers as multitudinous, repetitive and often repetitive. That has also been my experience. She declined to issue a broad moratorium on further proceedings before me as the Receivership Court. She found: "It is abundantly clear that Justice Toal, for whom the undersigned has the highest respect, has done and is doing her best to keep the underlying state Tort suits moving forward appropriately without interfering with the coverage issues pending here". I intend to faithfully

adhere to Judge Hendricks' rulings and stay out of ruling on coverage matters that are before her. With regard to these settlements, these three insurers are no longer, or were never, parties in the matter before Judge Hendricks. Therefore, it is not possible for me to rule on the coverage matters before her as I decide whether to approve the proposed settlements. I will shortly be sending to the parties, with copies to all, including non parties, a directive to Mr. Protopapas regarding certain modifications I want made to the Orders proposed. I will do this without argument, on the briefs and filings already submitted, under the authority of Order of the Supreme Court of South Carolina Re: Operation of Trial Courts During Coronavirus Emergency App. Case No. 2020-000447, section (c)(4). Sincerely yours, Jean Toal

From: Davis, William P. [<mailto:WDavis@brblegal.com>]

Sent: Wednesday, April 8, 2020 11:42 AM

To: 'Peter Protopapas' <pdp@rplegalgroup.com>; Toal, Jean <JToal@sccourts.org>; Selert, Hali <hselert@sccourts.org>

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Subject: RE: Covil Receivership proposed settlements

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Dear Chief Justice Toal – The Receiver has raised a number of issues in his recent filings to which USF&G has not been afforded an opportunity to respond, but it plans to do so today. In addition, USF&G intends to file oppositions to pending motions to seal and to quash, which have not yet been fully briefed. USF&G will combine its responses to both of those motions in today's filing. For reasons stated in the brief to be filed today, USF&G respectfully requests that the Court not rule on the pending motions until the issues are fully briefed and, if the Court will permit, hold a hearing on these issues.

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Sent: Wednesday, April 08, 2020 10:58 AM

To: Toal, Jean <JToal@sccourts.org>; Hali Selert <hselert@sccourts.org>

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Subject: Covil Receivership proposed settlements

Dear Chief Justice Toal and Ms. Selert

As you recall, on March 23rd, you were scheduled to hear a joint motion by Covil Corporation, TIG, Sentry, and Hartford insurance companies to approve an uncontested settlement agreement for the liquidation of Covil assets to be deposited into a court-approved Qualified Settlement Fund. Travelers/USFG and Zurich filed limited objections of a non-party. The Court granted 10 days (March 30th) for additional briefing.

On March 30th, the Receiver filed his additional materials and no further materials have been filed with the Court.

To address these outstanding motions, Covil filed three proposed orders approving each of the settlements, one proposed order approving the qualified settlement fund, one proposed order addressing the non party insurers objections, and a proposed order vacating findings as to Sentry.

If the Court is inclined, our Rules of Civil Procedure as well as the April 3rd Supreme Court Order allow decisions of non jury motions without hearing. In particular, the Supreme Court authorized decisions on the briefs where opposing parties have had an opportunity to file responses to motions as is the case here. At such time "A trial judge may elect not to hold a hearing when the judge determines the motion may readily be decided without further input from the lawyers. . ."

Respectfully, we believe the matter is ripe for decision or further instruction from the Court.

Thank you for the consideration of this request, and by copy of this email local counsel for settling insurers, objecting insurers, and Plaintiff's are being copied on the email.

Best regards

Peter Protopapas

Sent from [Mail](#) for Windows 10

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